

# United States District Court

WESTERN DISTRICT OF WASHINGTON

DOMINGO GERMAN MACAVILCA

JUDGMENT IN A CIVIL CASE

v.

EDWARD R. KANDLER, et al.,

CASE NUMBER: C08-5312FDB/KLS

\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Court adopts the Report and Recommendation; and

This action is **DISMISSED without prejudice** prior to service for failure to state a claim.

\_\_\_\_ December 5, 2008  
Date

\_\_\_\_ BRUCE RIFKIN  
Clerk

\_\_\_\_ *s/CM Gonzalez*  
Deputy Clerk